

Relations between parents and children after divorce

Abstract

The aim of this thesis is to present current legal regulation regarding relations between parents and children after divorce, which is included in the Act No. 89/2012 Coll., Civil Code, as amended, to point out problematic aspects during its practical application and to suggest other possible future solutions for particular issues.

The thesis is composed of five chapters. Chapter one deals with divorce. It investigates historical development of its legal regulation, current legal regulation including divorce proceeding, and also some legal consequences of divorce. Part of this chapter concentrates on suggestions *de lege ferenda* regarding simplification of divorce. Chapter two is concerned with legal regulation of relations between parents and children after divorce in a historical context, from the General Civil Code till nowadays.

Chapter three analyses individual aspects of legal regulation of relations between parents and children after divorce. At first it looks at custody of minor children after divorce and its particular forms, i.e. sole, alternating and shared custody. Another part of this chapter deals with regulation of contact of a parent and a minor child. After that the chapter concentrates on alimentary obligation regarding a minor child, and subsequently regarding a major child. Last part of this chapter focuses on proceedings regarding relations to minor children and on execution.

Chapter four outlines German and Austrian legal regulation of relations between parents and children after divorce. Chapter five contains suggestions *de lege ferenda* regarding legal regulation of relations between parents and children after divorce.

Conclusion of this thesis is that *de lege ferenda* it should be considered to simplify the process connected with divorce and to carry out some other changes regarding legal regulation of relations between parents and children after divorce, that has been suggested in this theses, in order to increase legal certainty and to provide higher protection of children's best interest. Further, it is recommended to solve some particular issues in the manner of the introduced foreign legal regulations.